

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re

Chapter 9

CITY OF DETROIT, MICHIGAN,

Case No. 13-53846

Debtor.

Judge Thomas J. Tucker

**CERTIFICATION OF NO RESPONSE OR OBJECTION
REGARDING CITY OF DETROIT’S SECOND MOTION FOR
AUTHORITY TO MODIFY THE CONFIRMED PLAN OF ADJUSTMENT
TO REVISE THE “DROP” PROGRAM FOR POLICE OFFICERS**

On April 19, 2019, the City Of Detroit (“City”) filed its Second *Motion for Authority to Modify the Confirmed Plan of Adjustment to Revise the “DROP” Program for Police Officers* (“Motion”). [Doc. No. 13048]. On the same date, the Motion was served upon all parties identified on the Certificate of Service attached as Exhibit A. *See Certificate of Service* Exhibit A.

No response to the Motion has been filed with the Court and the time to do so has passed. The City respectfully requests that the Court enter an order in substantially the same form as the one which was attached to the Motion. *See Proposed Order* Exhibit B.

Respectfully submitted,

By: /s/ Marc N. Swanson

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Attorneys for the City of Detroit

DATED: May 7, 2019

Exhibit A

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Chapter 9

City of Detroit, Michigan,

Case No. 13-53846

Debtor.

Hon. Thomas J. Tucker

CERTIFICATE OF SERVICE

I, Lydia Do, certify and say that I am employed by Kurtzman Carson Consultants LLC (KCC), the claims and noticing agent for the Debtor in the above-captioned case.

On April 19, 2019, at my direction and under my supervision, employees of KCC caused to be served the following document via Email on the service list attached hereto as **Exhibit A**; and via First Class mail on the service lists attached hereto as **Exhibit B** and **Exhibit C**:

- **City of Detroit's Second Motion for Authority to Modify the Confirmed Plan of Adjustment to Revise the "DROP" Program for Police Officers** [Docket No. 13048]

Dated: April 24, 2019

/s/ Lydia Do
Lydia Do
KCC
2335 Alaska Ave
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EXHIBIT A

Exhibit A
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Exhibit A
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Exhibit A
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Exhibit A
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Exhibit A
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Counsel for Debtor City of Detroit Michigan; Michigan, Kevyn D. Orr, John Naglick, Michael Jamison, and Cheryl Johnson	Pepper Hamilton LLP	Robert S Hertzberg	hertzberg@pepperlaw.com
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Counsel for Community Foundation for Southeast Michigan; William Davidson Foundation; The Fred A. and Barbara M. Erb Family Foundation; Max M. and Marjorie S. Fisher Foundation; The Ford Foundation; Hudson-Webber Foundation; W.K. Kellogg Foundation; McGregor Fund; Charles Stewart Mott Foundation; and A. Paul and Carol C. Schaap Foundation (Collectively, the "Foundations")	Plunkett Cooney	Douglas C Bernstein	dbernstein@plunkettcooney.com
Top 20 Creditor - City's Pension Trusts	Police and Fire Retirement System of the City of Detroit	Attn: Joseph E. Turner, Esq.	jturner@clarkhill.com
Union Representative	Police Officers Association of Michigan	Attn: John Barr	poam@poam.net
Union Representative	Police Officers Labor Council	Attn: Chet Kulesza	ck445polc@yahoo.com
Union Representative	Police Officers Labor Council	Attn: Jan Zaleski	presidentjan@aol.com
Union Representative	Police Officers Labor Council	Attn: Marvin Hansberry	HansberryM@detroitmi.gov
Counsel for CitiMortgage, Inc.	Potestivo & Associates PC	Mary Atallah	matallah@potestivolaw.com
Interested Party	Primeshares World Markets, LLC		jd@primeshares.com; transfer@primeshares.com
Counsel for Michael Beydoun	Raymond Guzall III PC	Raymond Guzall III	rayguzall@attorneyguzall.com
Attorneys for Creditors: Carlton Carter, Bobby Jones, Roderick Holley and Richard T. Weatherly	Resnick & Moss PC	H Nathan Resnick	hnresnick@resnicklaw.net; hnresnick@resnicklaw.com
Retiree Representative	Retired Detroit Police and Fire Fighters Association	Attn: Donald Taylor	rdpfa@hotmail.com

Exhibit A
Served via Email

Party Description	Company	Contact	Email
Counsel to Eric Kimbrough, Leinathian Jelks, Brandon Brooks, Phyllis Tharpe, Rodney Heard, Clenette Harris, Gregory Brazell, Jennifer Harris-Barnes, Henry Hassan, Melvin Miller, Terry Hardison, Velma, Denson, Raymond Thompson, Lucy Flowers, Brandon Gilbert, Brady Johnson, Quentin King, Sharon Pettway, Taralyn Smith, Donna Weatherspoon, Tarita Wilburn, Joseph Wright, Laverne Covington, James Matson, Kevin McGillivray, Rhonda Craig, Orlando Marion, John Collins, Terry Hardison, Carolyn Harp, Jeffrey Peterson, Clementine Stephens, Ezekiel Davis, Michael McKay, David Both, Raymond Thompson, Jr., Doug Taylor, Shumithia Baker, Floyd Brunson, Jerry Ashley, Anthony Harmon, Shelton Bell, Jr., Jeremiah Duren, Otis Evans, Wendy Jefferson, Gary Musser, Mario Littlejohn, Angela Davis, Jeffrey Theriot, Bernard White, Eddie Moore, Robert McGowen, Curtis Morris, Honda Porter, Kevin McDonald, Jay Woods, Taesean Parnell, Yvette Spencer, Viena Lowe, Landon Banks, Darchella Latner, Nicholas Martin, Marily Cloyd, Robert Hall, Victoria Wilson, Theresa Chalch, Angela Davis, Jamie Jackson, Donald Harris, Winter Owens, Samiya Speed, Teran Brown, Antonio Brooks, Jermaine Gleen, Ray Lizzamore, Daniel Latanzio, Woodrow Roberson, Kevin Ivie, Darnell Fields, Daniel Soto, Kevin McGillivray, and Bradley Schick,	Romano Law PLLC	Attn Daniel G Romano & Trevor J. Zamborsky	dromano@romanolawpllc.com
Counsel for Robbie Flowers, Michael Wells, Janet Whitson, Mary Washington and Bruce Goldman ("Flowers plaintiffs"); and Detroit Police Command Officers Association ("DPCOA"); Detroit Fire Fighters Association, I.A.F.F. Local 344	Sachs Waldman PC	Mami Kato & Mary Ellen Gurewitz	mkato@sachswaldman.com;
Counsel for Official Retiree Committee	Salans FMC SNR Dentons Europe LLP	Claude Montgomery	claudemontgomery@Dentons.com
Contract Counterparty	SBS Financial Products Company, LLC	Attn. John Carter	jcarter@sbsco.com
Counsel for Ambac Assurance Corporation	Schafer and Weiner PLLC	Brendan G Best	bbest@schaferandweiner.com
Counsel for FMS Wertmanagement AöR	Schiff Hardin LLP	Frederick J. Sperling & Paul E. Greenwalt	fsperling@schiffhardin.com;
Counsel for DEPFA Bank PLC	Schiff Hardin LLP	Rick L. Frimmer & Matthew W. Ott	pgreenwalt@schiffhardin.com
Counsel for DEPFA Bank PLC	Schiff Hardin LLP	Suzanne L. Wahl	mott@schiffhardin.com
Counsel for Schneiderman and Sherman PC; Attorney for U.S. Bank National Association as servicer for Michigan State Housing Development Authority; Flagstar Bank, FSB; Counsel for Kondaur Capital Corporation	Schneiderman & Sherman PC	Neil Sherman	swahl@schiffhardin.com
Union Representative	SEIU Local 517M	Attn: Yolanda Langston	NSherman@sspclegal.com
Union Representative	Senior Accountants, Analysts & Appraisers Association	Attn: Audrey Bellamy	langstony@gmail.com
Union Representative	Senior Water Systems Chemist Association	Attn: Andrew Ross	ayoung586@comcast.net
Counsel for The Kales Grand Circus Park LLC	Seyburn Kahn	David T. Lin	aross@dwsd.org
Fee Examiner	Shaw Fishman Glantz & Towbin LLC	Ira Bodenstein Gordon Gouveia David Doyle and Marc Reiser	dlin@seyburn.com
Counsel for Detroit Winsor Tunnell LLC	Sheldon S. Toll PLLC	Sheldon S. Toll	ibodenstein@shawfishman.com;
Counsel for National Public Finance Guarantee Corporation	Sidley Austin LLP	Attn Guy S. Neal	ggouveia@shawfishman.com;
Counsel for National Public Finance Guarantee Corporation	Sidley Austin LLP	Attn James F. Bendernagel	ddoyle@shawfishman.com
Counsel for National Public Finance Guarantee Corporation	Sidley Austin LLP	Attn Jeffrey E. Bjork	lawtoll@comcast.net
Counsel for National Public Finance Guarantee Corporation	Sidley Austin LLP	Attn: Jeffrey Bjork, Esq. & Eric D. Tashman, Esq.	gneal@sidley.com
Counsel for Retired Detroit Police and Fire Fighters Association ("RDPFFA"); 2) Donald Taylor, President of RDPFFA; 3) Detroit Retired City Employees Association ("DRCEA"); and 4) Shirley V. Lightsey, President of DRCEA	Silverman & Morris PLLC	Thomas R. Morris and Karin F. Avery	jbjork@sidley.com
Counsel for Unisys Corporation	Sirlin Lesser & Benson PC	Dana S. Plon	etashman@sidley.com;;
Counsel for Airgas USA LLC	Smith Katzenstein & Jenkins LLP	Kathleen M. Miller	jbjork@sidley.com
State of Michigan Chief Legal Counsel	State of Michigan Chief Legal Counsel	Matthew Schneider	om
State of Michigan Assistant Attorney General, Counsel to State of Michigan	State of Michigan Revenue & Collections Division	Steven B. Flancher & Matther Schneider	morris@silvermanmorris.com;
The Office of the Treasurer for the State of Michigan	State Treasurer		avery@silvermanmorris.com
Counsel for Nuveen Asset Management and BlackRock Financial Management, Inc.; and Greenhill & Co LLC	Steinberg Shapiro & Clark	Mark H. Shapiro	dplon@sirlinlaw.com

Exhibit A
Served via Email

Party Description	Company	Contact	Email
Counsel for Gabriel, Roeder, Smith & Company; Clark Associates, Inc.	Stevenson & Bullock PLC	Charles D Bullock Elliot G Crowder & Sean M Walsh	cbullock@sbplclaw.com; ecrowder@sbplclaw.com
Counsel for the Detroit Police Lieutenants and Sergeants Association	Sudnick Law PC	Peter P Sudnick	psudnick@sudnicklaw.com
Counsel for Syncora Guarantee Inc	Susheel Kirpalani Quinn Emanuel Urquhart & Sullivan, LLP		susheelkirpalani@quinnemanuel.com
Sylvia Jean Brown Jones, Pro Se	Sylvia Jean Brown Jones		bjdelta55@gmail.com
Union Representative	Teamsters Local #214	Attn: Joseph Valenti	tl214teams@teamsters214.org
City's Secured & Unsecured Bonds	The Bank of New York Mellon Trust Company, National Association, as trustee	Attn: Eduardo Rodriguez	eduardo.rodriguez@bnymellon.com
Corporation Counsel for the City of Detroit	The City of Detroit	Attn: Corporation Counsel	Johnsoncu@detroitmi.gov
Counsel for Derrez Payne	The Law Offices of Joumana Kayrouz, PLLC	1000 Town Center, Ste 800	mbenkstein@joumanakayrouz.com
Counsel for Kevin Lewis & Jeremy Morris	The Markowitz Law Office	Carolyn B Markowitz PC	bankruptcy@markowitzlegal.com
Counsel for Michigan Auto Recovery Service Inc; Wayne County Circuit Court, Hyde Park Cooperative, et al. v. City of Detroit, by and through its Buildings and Safety Engineering Department, Case No. 10-005687-CZ	Thornbladh Legal Group PLLC	Kurt Thornbladh	kthornbladh@gmail.com; thornbladh.kurt3@gmail.com
Counsel for City of Detroit, Michigan	Togut Segal & Segal LLP	Attention: Albert Togut, Scott E. Ratner & Neil Berger	seratner@teamtogut.com; neilberger@teamtogut.com; dperson@teamtogut.com; adeering@teamtogut.com; dcahir@teamtogut.com
Top 20 Creditor - City's Secured & Unsecured Bonds (Including Sewer and Water)	U.S. Bank National Association, as trustee, bond registrar transfer agent, paying agent, custodian and/or contract administrator	Attn: Susan E. Jacobsen VP	susan.jacobsen2@usbank.com
Union Representative	UAW - Local # 412	Attn: John Cunningham	jcunningham@uaw.net
Union Representative	UAW - Local #212	Attn: John Cunningham	jcunningham@uaw.net
Union Representative	UAW – PAA Local #2211	Attn: Robyn Brooks	BrooR@detroitmi.gov
Union Representative	UAW – WWTP Local #2200	Attn: Laurie Stuart	mimilaurie@yahoo.com;
Union Representative	United Auto Workers Union	Attn: Michael Nicholson	mnicholson@nichfeld.com
Union Representative	Utility Workers Union of America	Attn: James Harrison	jharrison@uwua.net
Union Representative	Utility Workers Union of America Local #531	Attn: Samuel Wilson	swilson@dwsd.org
Counsel for Center for Community Justice and Advocacy ("CCJA")	Vanessa G. Fluker, Esq., PLLC	Vanessa G Fluker	vgflawyer@sbcglobal.net
Interested Party	Vanguardians	Barry Allen	pra@vanguardians.org
Counsel for UBS AG and Merrill Lynch Capital Services Inc (COP Swap Counterparties)	Warner Norcross & Judd LLP	Douglas A Dozeman & Charles N Ash Jr	ddozeman@wnj.com;;cash@wnj.com
Counsel for Financial Guaranty Insurance Company	Weil, Gotshal & Manges LLP	Alfredo R Perez	alfredo.perez@weil.com
Counsel for Financial Guaranty Insurance Company	Weil, Gotshal & Manges LLP	Attn: Gary T. Holtzer, Esq. & Alfredo R. Pérez, Esq.	gary.holtzer@weil.com;;alfredo.perez@weil.com
Counsel for Financial Guaranty Insurance Company	Weil, Gotshal & Manges LLP	Kelly DiBlasi	kelly.diblasi@weil.com
Counsel for Financial Guaranty Insurance Company	Williams Williams Rattner & Plunkett PC	Ernest J Essad Jr	ejessad@wwrplaw.com
Counsel for Assured Guaranty Municipal Corporation	Winston & Strawn LLP	Attn: Lawrence A. Larose Samuel S. Kohn Carrie V. Hardman	chardman@winston.com swolfson@wolfsonbolton.com; akochis@wolfsonbolton.com
Counsel for The Bank of New York Mellon	Wolfson Bolton PLLC	Scott A Wolfson & Anthony J Kochis	
Counsel for International Association of Fire Fighters, AFL-CIO, CL	Woodley & McGillivray	Douglas L Steele	dls@wmlaborlaw.com

EXHIBIT B

Exhibit B
Served via First Class Mail

Party Description	Company	Contact	Address 1	Address 2	City	State	Zip	Country
Union Representative	AFSCME Council #25	Attn: Albert Garrett	1034 N. Washington		Lansing	MI	48906	
Union Representative	AFSCME Council #25	Attn: Albert Garrett	600 W. Lafayette, Ste. 500		Lansing	MI	48906	
Union Representative	AFSCME Council #25	Attn: Ed McNeil	600 W. Lafayette, Ste. 500		Detroit	MI	48226	
Union Representative	AFSCME Local #0023	Attn: Robert Stokes	600 W. Lafayette, Ste. 134		Detroit	MI	48226	
Union Representative	AFSCME Local #0312	Attn: Phillip Douglas	14022 Linwood		Detroit	MI	48238	
Union Representative	AFSCME Local #0457	Attn: Laurie Walker	600 W. Lafayette, Ste. L – 104		Detroit	MI	48226	
Union Representative	AFSCME Local #1220	Attn: Gerald Thompson	600 W. Lafayette, Ste. 136		Detroit	MI	48226	
Union Representative	AFSCME Local #1227	Attn: Joseph Walter	P.O. Box 36314		Grosse Pointe Farms	MI	48236	
Union Representative	AFSCME Local #1642	Attn: Gina Thompson-Mitchell	600 W. Lafayette, Ste. L – 123		Detroit	MI	48226	
Counsel for Airgas USA LLC	Airgas USA LLC	Mr David Boyle	259 Radnor-Chester Rd Ste 100	PO Box 6675	Radnor	PA	19087-8675	
Union Representative	Association of Professional Construction Inspectors	Attn: Juanita Sanders	2727 Second Ave., Ste. 314B		Detroit	MI	48201	
Counsel for Kayj Development	David W Yaldo PC	David W. Yaldo	4036 Telegraph Road, Suite 204		Bloomfield Hills	MI	48302	
Retiree Representative	Detroit Firemen's Fund Association	Attn: Kim Fett	1301 Third St. Suite 329		Detroit	MI	48226	
Retiree Representative	Detroit Police Benefit and Protective Association	Attn: Delbert R. Jennings, Sr.	3031 W. Grand Boulevard, Suite 405		Detroit	MI	48202	
Retiree Representative	Detroit Retired City Employees Association	Attn: Shirley V. Lightsey	P.O. Box 40713		Detroit	MI	48240	
Counsel for U.S. Bank National Association (Top 20 Creditor)	Faegre Baker Daniels LLP	Attn: Abby E. Wilkinson, Esq.	2200 Wells Fargo Center	90 South Seventh Street	Minneapolis West	MN	55402-3901	
Union Representative	Field Engineers Association	Attn Larry Hart	PO Box 252805		Bloomfield	MI	48325	
The Office of the Governor of the State of Michigan	Governor Rick Snyder		P.O. Box 30013		Lansing	MI	48909	
Counsel for The Detroit Institute of Arts	Honigman Miller Schwartz and Cohn LLP	T. O'Reilly	600 Woodward Ave	2290 First National Bldg	Detroit	MI	48226	
Counsel for Defendants Greektown Casino and Detroit Entertainment LLC dba Motorcity Casino Hotel	Honigman Miller Schwartz and Cohn LLP	Jennifer Zbytowski Belveal	2290 First National Bldg	660 Woodward Ave	Detroit	MI	48226-3506	
Counsel for HP Enterprise Services LLC	HP Enterprises Services LLC	Ayala Hassell	5400 Legacy Dr		Plano	TX	75024	
Counsel for HP Enterprise Services LLC	HP Enterprises Services LLC	Ken Higman	12610 Park Plz Dr Ste 100		Cerritos	CA	90703	
Interested Party	IBM Corporation	Attn National Bankruptcy Coordinator	275 Viger East Ste 400		Montreal	QC	H2X 3R7	Canada
Counsel for IBM Credit LLC	IBM Credit LLC	Andy Gravina	Special Handling Group MD NC317	6303 Barfield Rd NE	Atlanta	GA	30328	
Counsel for St Martins Cooperative	Law Offices of Lee & Correll	Michael K Lee	24901 Northwestern Hwy Ste 113		Southfield	MI	48075	
Counsel for FK Park, LLC and FK South, LLC	Maddin, Hauser, Roth & Heller, P.C.	Ian S Bolton	28400 Northwestern Hwy 2nd Fl		Southfield	MI	48034	
Counsel for Syncora Guarantee Inc	Mantese Honigman Rossman and Williamson PC	Brendan Frey	1361 E. Big Beaver Road		Troy	MI	48083	
Counsel for Bishop Real Estate, L.L.C.	McDonald Hopkins PLC	Jason L Weiner	39533 Woodward Ave Ste 318		Bloomfield Hills	MI	48304	
Pro se	Nathaniel Brent		538 S Livernois		Detroit	MI	48209	
Office of the United States Trustee	Office of the United States Trustee	Daniel McDermott	211 West Fort Street Suite 700		Detroit	MI	48226	
Counsel enters an appearance for The Bank of New York Mellon (successor by operation of law to The Bank of New York), as custodian of the Police and Fire Retirement System of the City of Detroit Fund and as custodian of the General Retirement System of the City of Detroit Fund	Reed Smith LLP	Amy M Tonti	225 Fifth Ave		Pittsburgh	PA	15222	
Interested Party	Ricoh USA Inc	Recovery & Bankruptcy Group	3920 Arkwright Rd Ste 400		Macon	GA	31210	
Union Representative	Sanitary, Chemists & Technicians Association	Attn: Saulius Simoliunas	2727 Second Ave. Rm. 314 – D		Detroit	MI	48201	
Counsel for Parsons Brinckerhoff Michigan, Inc.	Schiff Hardin LLP	Andrew M. Minear	666 Fifth Ave	17th Fl	New York	NY	10103	
SEC	Securities & Exchange Commission	Bankruptcy Section	175 W Jackson Blvd	Suite 900	Chicago	IL	60604-2815	
Counsel for 415 East Congress, LLC; Attorney for Creditor K & P, Incorporated; H.D.V. Greektown, LLC	Shafer & Associates PC	Matthew J Hoffer	3800 Capital City Blvd Ste 2		Lansing	MI	48906	
Counsel for National Public Finance Guarantee Corporation	Sidley Austin LLP	Attn: Guy S. Neal, Esq.	1501 K Street, N.W.		Washington	DC	20005	

Exhibit B
Served via First Class Mail

Party Description	Company	Contact	Address 1	Address 2	City	State	Zip	Country
Counsel for Public Lighting Authority	The Allen Law Group, P.C.	Attn: Ron Liscombe, Esq.	3011 West Grand Boulevard	2500 Fisher Building	Detroit	MI	48202	
The City, c/o the Emergency Manager	The City of Detroit	Attn: Kevyn D. Orr, Emergency Manager	Coleman A. Young Municipal Center	2 Woodward Ave Suite 1126	Detroit	MI	48226	
Counsel for Michigan Council 25 of the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO	The Sanders Law Firm PC	Herbert A Sander	615 Griswold St Ste 913		Detroit	MI	48226	
Top 20 Creditor - City's Secured & Unsecured Bonds (Including Sewer and Water)	U.S. Bank National Association, as trustee, bond registrar transfer agent, paying agent, custodian and/or contract administrator	Attn: Susan T. Brown	Senior Vice President and Manager	535 Griswold Ste 550	Detroit	MI	48226	
Top 20 Creditor - City's Secured & Unsecured Bonds (Including Sewer and Water Bonds)	U.S. Bank National Association, as trustee, for the Detroit Sewer and Water Bonds	Attn: Lawrence J. Bell	PD-OR-P6TD		Portland	OR	97204	
Counsel for United States of America	Unites States Attorney	Julia A. Caroff, Asssitant US Attorney	211 W Fort St Ste 2001		Detroit	MI	48226	
Union Representative	Utility Workers Union of America Local #488	Attn: Carl Anderson	19315 Westmoreland		Detroit	MI	48219	
Union Representative	Utility Workers Union of America Local #504	Attn: Curlisa Jones	5405 Railview Ct. - Apt. 166		Shelby Township	MI	48316	
Counsel for U.S. Bank National Association (Top 20 Creditor)	Waller Lansden Dortch & Davis LLP	Attn: Courtney Rogers	511 Union Street, Suite 2700		Nashville	TN	37219	
Counsel for Assured Guaranty Municipal Corporation	Winston & Strawn LLP	Sarah T. Foss	1111 Louisiana 25th Fl		Houston	TX	77002-5242	

EXHIBIT C

Exhibit C
Served via First Class Mail

CreditorName	CreditorNoticeName	Address1	Address2	City	State	Zip
Detroit Police Command Officers Association	Aric Tosqui, President	P.O. Box 2625		Detroit	MI	48202
Detroit Police Officers Association	Mark Diaz, President	1938 E. Jefferson Ave		Detroit	MI	48207
Detroit Police Lieutenant and Sergeants Association	Mark Young, President	28 W. Adams	Ste 700	Detroit	Mi	48226

Exhibit B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

**[PROPOSED] ORDER GRANTING CITY OF DETROIT’S SECOND
MOTION FOR AUTHORITY TO MODIFY THE CONFIRMED PLAN OF
ADJUSTMENT TO REVISE THE “DROP” PROGRAM FOR POLICE
OFFICERS**

This matter, having come before the court on the *City of Detroit’s Second Motion for Authority to Modify the Confirmed Plan of Adjustment to Revise the “DROP” Program for Police Officers* (“Motion”); and the Court having jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and Article VII of the Plan; and due and proper notice of the Motion having been given as provided in the Motion; and it appearing that no other or further notice of the Motion need be given; and a hearing on the Motion having been held before the Court; and any objections or other responses to the Motion having been overruled or withdrawn; and the Court finding that the legal and factual bases set forth in the Motion and at the hearing establish just cause for the relief granted; and the Court being fully advised in the premises; and there being good cause to grant the relief requested,

THE COURT ORDERS THAT:

1. The Motion is granted.

2. The City may amend section 12.1 of the New PFRS Active Pension Plan to add a new paragraph to include a provision that is substantially similar to the following:

(3) Notwithstanding paragraph 2 of this section or any other provision of this Plan, a member of the Detroit Police Officers Association shall be entitled to participate in the DROP program under Component I for a maximum of ten (10) years. At the end of such ten (10) year period of participation in the DROP program, the member shall be retired and separated from employment.

A member who is participating in the DROP program pursuant to this paragraph §12.1(3) or pursuant to Component II of the Police and Fire Retirement System must be able to perform the essential functions of his or her permanent position, assigned for the duration of his or her participation in the DROP program. Provided, however, that If a member participating in the DROP program pursuant to this paragraph §12.1(3) or Component II of the Police and Fire Retirement System requires and is granted restricted duty for 365 consecutive days or more, that member may be retired and separated from employment.

While participating in the DROP program pursuant to paragraph §12.1(2), this paragraph 12.1(3) or pursuant to Component II of the Police and Fire Retirement System, a member of the Detroit Police Officers Association must receive bi-annual satisfactory performance evaluations according to the performance evaluation standards then in place for sworn officers. Any such member who receives an unsatisfactory performance evaluation shall be entitled to the appeals process then in place, as well as final review by the Chief of Police. If a member receives a second consecutive unsatisfactory performance evaluation, that member may be retired and separated from employment.

3. Nothing in this Order is intended to, shall constitute or shall be deemed to constitute the City's consent, pursuant to section 904 of the Bankruptcy Code, to this Court's interference with (a) any of the political or governmental powers of the City, (b) any of the property or revenues of the City or (c) the City's use or enjoyment of any income-producing property.

4. The Court retains jurisdiction over any and all matters arising from the interpretation or implementation of this Order.